

## REMARKS

As a preliminary matter, Applicant appreciates the indication of allowability of claims 5, 8 and 11-12. To distinguish the present invention from the references, Applicant has amended claim 1 to incorporate the features of allowable claim 11, and has incorporated the features of claim 1 to allowable claims 5, 8 and 12. Further, Applicant has amended independent claim 20 to incorporate the features of allowable claim 11, and has added a new independent claim combining the features of claim 20 and allowable claim 12.

Claims 1-2, 4, 6-7, and 14 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 3, 7 and 11 of U.S. Patent No. 5,900,323. Applicant traverses the rejection on the grounds that the independent claims have been amended to incorporate allowable features. Thus, withdrawal of the obviousness-type double patenting rejection is respectfully requested.

Claims 1-2, 4, 6-7, 10, 13-14 and 20-22 stand rejected under § 102 on the basis of Takahashi et al. (WO 2000/74042A1 – equivalent to U.S. 6,709,775). Independent claims 1 and 20 have been amended to better define the present invention over the cited reference. Applicants traverse this rejection because the reference does not disclose (or suggest) a magnetic recording layer constituted from a four-component metal alloy of cobalt, chromium, platinum and tantalum represented by the following formula:  $\text{Co}_{\text{bal.}} - \text{Cr}_{14-22} - \text{Pt}_{4-10} - \text{Ta}_x$ , in which bal. means a balance amount, and x is in the range of 1 to 5 at%.

The '775 reference discloses a magnetic recording medium having an Al substrate, an NiP layer, an island-like seed layer having a thickness of 1 nm, a Cr layer, a

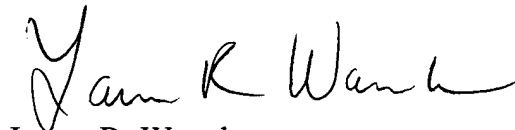
CoCrPtTA-based magnetic layer and a C overcoat. However, in this magnetic recording medium, the magnetic layer does disclose (or suggest) the specific alloy taught by the present invention. Similarly, the reference does not disclose the specific alloy of claim 12, mainly:  $\text{Co}_{\text{bal.}} - \text{Cr}_{14-22} - \text{Pt}_{4-10} - \text{Ta}_x - \text{Nb}_y$  in which bal. means a balance amount, and a sum of x and y (x + y) is in the range of 1 to 5 at%. Thus, withdrawal of the § 102 rejection is respectfully requested.

For the foregoing reasons, applicant believes that this case is in condition for allowance, which is respectfully requested. The examiner should call applicant's attorney if an interview would expedite prosecution.

Respectfully submitted,

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